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TAGS: [OVIP](#) [PTER](#) [PREL](#) [KCRM](#) [IZ](#) [TU](#)
SUBJECT: FBI DIRECTOR'S VISIT: MINISTER OF JUSTICE READY TO
WORK WITH U.S.

Classified By: POL Counselor Daniel O'Grady, for reasons 1.4 (b,d)

11. (C) SUMMARY. During a November 18 meeting, FBI Director Mueller pressed Justice Minister Ergin to establish a new bilateral framework that would facilitate the more rapid exchange of information. He also urged Turkey to revise its terrorism laws to better address the challenges brought by globalization. Minister Ergin contended Turkey's laws are adequate to the task, but said his staff is ready to work with the United States on these issues. END SUMMARY.

12. (C) FBI Director Robert Mueller met November 18 with Justice Minister Sadullah Ergin to discuss a range of law enforcement issues of concern. The Director was joined by the Ambassador, Assistant Director Sean Joyce, DCM Doug Silliman, Special Assistant Debra Smith, Legal Attache Raymond Duda, DOJ Resident Legal Advisor Michael Lang, and the embassy interpreter. Minister Ergin welcomed the Director with a brief overview of the Ministry of Justice, explaining he coordinates the judiciary, the prosecutors, and the prisons, and currently supervises over 4,000 judges and prosecutors.

13. (C) The Director thanked the Minister for his assistance, particularly with the extradition of Yuri Zinchenko, a Russian organized crime member arrested in Istanbul on an FBI warrant. He also thanked the Minister for addressing mutual terrorist threats from PKK and Al Qaeda. The United States and Turkey share other areas of common concern, such as cyber crime, human trafficking, and drug trafficking, he observed. With globalization, it is even more important for us to work together. Because our two countries work under different judicial systems, we must overcome any differences to ensure that justice is done within the rule of law.

14. (C) The Turkish people have suffered from terrorism for many years, the Minister rejoined. Turkey is carrying out a number of relevant reforms within the EU framework. For example, it is working to improve human rights-related regulations in line with international agreements and the European Convention on Human Rights. While its judicial system is similar to the European system, on terrorism and cyber crimes, he would prefer to move toward the American system.

15. (C) The Director stated that no EU country has been impacted by terrorism as much as Turkey. The FBI, he noted, is very pleased with the cooperation it has received from the

Turkish National Police, Ministry of Justice, and Turkish National Intelligence Organization (TNIO). He then proposed three ways to further improve these relationships.

¶16. (C) First, the Director stated, we need to establish a framework to share information between law enforcement agencies more quickly. Fifteen or 20 years ago, Mutual Legal Assistance Treaties (MLAT) were sufficient tools for exchanging evidence needed for a courtroom. Today, however, to prevent terrorist attacks, we need to exchange information rapidly on items like e-mail addresses, cellular telephone numbers, bank account information, and personal identifiers. He acknowledged this initiative may require time to overcome obstacles created by the fact that the two sides have different legal systems.

¶17. (C) Second, the Director pointed to the obstacles to closer cooperation created by the fact that Turkey's legal system handles investigations differently than that of the United States. In Turkey, he noted, once an investigation is turned over to a prosecutor, any additional information collected during the prosecution phase cannot be shared with other law enforcement entities without going through the cumbersome MLAT process. He urged the two sides to work together to find a more efficient ways to share information at all stages of the investigation.

¶18. (C) Third, the Director noted that Turkey's terrorism laws are limited to acts against Turkish citizens or the Turkish state. As we adjust to globalization brought about by the ease of travel and communication, however, our laws must be able to address terrorism that affects other countries, too,

he observed. Turkey will increasingly be drawn into this issue as its role as a hub for international trade and transportation continues to grow.

¶19. (C) Minister Ergin said he agreed with most of the points raised by the Director. Turkey, however, has an extra challenge -- trying to conform with EU regulations while remaining in compliance with its own Constitution. The Minister observed that a bill on the protection of personal data is currently before the Parliament. Turkey must pass this bill before it can address many of the issues the Director raised. The opposition political parties, however, have been obstructionist. He realized we need to overcome the obstacles raised by the Director and to work more closely together. He had instructed his staff to work to expand our current cooperation, he reported.

¶10. (C) Director Mueller reiterated that Turkey needs to coordinate with the EU and to adopt practices approved by the EU. Yet no country in the EU faces as many challenges as Turkey with regard to terrorists transiting through its territory to stage attacks in other countries. At the same time, he added, he was not aware of an EU country with the same limitations in its terrorism laws that Turkey has. Ergin responded he believes Turkey's terrorism laws are sufficient to address these matters; Turkey abides by the relevant United Nations conventions and protocols, which according to Article 90 of the Turkish Constitution, supersede Turkish law. Nonetheless, if reforms are needed, his staff is ready to work with the United States on these issues, he stated.

¶11. (U) Director Mueller did not have an opportunity to clear this message.
Silliman

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